

# **CODEL LYNCH**

January 27 –  
February 2, 2010



## ***FINAL REPORT***

## **DELEGATION MEMBERS**

**Rep. Stephen F. Lynch**

*Democrat, (MA-09)*

**Rep. Todd Platts**

*Republican, (PA-19)*

**Rep. Bob Inglis**

*Republican, (SC-04)*

**Rep. Betty Sutton**

*Democrat, (OH-13)*

**Rep. Joe Donnelly**

*Democrat, (IN-02)*

**Mr. Scott Lindsay**

Counsel, Committee on Oversight & Government Reform

**Mr. Adam Fromm**

Professional Staff Member, Committee on Oversight & Government Reform

**Mr. Bruce Fernandez**

Professional Staff Member, Committee on Oversight & Government Reform

Legislative Director, Rep. Stephen F. Lynch

**Maj. Louis Kangas**

U.S. Army Liaison

**Maj. Camille Mack**

U.S. Army Liaison

## COUNTRIES/REGIONS OF INTEREST

- 1) Romania
- 2) Islamic Republic of Pakistan
- 3) Islamic Republic of Afghanistan
- 4) Tunisian Republic

## MISSION STATEMENT

Pursuant to the authorization of Chairman Edolphus Towns and Ranking Member Darrell Issa of the Committee on Oversight and Government Reform, and with the consent of Secretary of State Hillary Rodham Clinton and Secretary of Defense Robert Gates, CODEL Lynch traveled to Romania, Pakistan, Afghanistan, and Tunisia from January 27, 2010 through February 27, 2010.<sup>1</sup>

During its official business in Romania, CODEL Lynch examined the progress of regional efforts to combat terrorist financing and money laundering activities. Specifically, the CODEL participated in coordinated meetings with U.S. Government officials and representatives of Romania's Financial Intelligence Unit, a national agency responsible for collecting, analyzing, and sharing financial intelligence with appropriate law enforcement intelligence and regulatory agencies.<sup>2</sup>

In addition, during its official business in Pakistan, CODEL Lynch examined the current political and security climate in the region through a series of coordinated meetings with Government of Pakistan and United States Government officials, including Pakistani Prime Minister Syed Yousuf Raza Gilani, Pakistani Chief of Army Staff Ashfaq Parvez Kayani, PML-N leaders Senator Ishaq Dar and Assemblyman Ahsan Iqbal, and United States Ambassador to Pakistan Anne Patterson. Moreover, the CODEL examined the status of regional humanitarian relief and development efforts through discussions with representatives from the United States Agency for International Development (USAID) and assessed the progress of regional anti-terrorist financing and anti-money laundering efforts through meetings with Pakistan State Bank officials.

During its official business in Afghanistan, CODEL Lynch examined the progress of regional military, security, political, and reconstruction efforts through coordinated meetings with United States Government officials, United States military personnel,

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<sup>1</sup> See Attachment A (1/6/10 Letter from Chairman Towns to Secretary Hillary Rodham Clinton) & B (1/14/10 Letter from Chairman Towns to Secretary Robert Gates).

<sup>2</sup> Rep. Lynch currently serves as Co-Chair of the House Task Force on Terrorism and Proliferation Financing.

Afghan National Army representatives, USAID representatives, and officials from the Office of the Special Inspector General for Afghanistan Reconstruction (SIGAR). Additionally, the CODEL, accompanied by members of the 5<sup>th</sup> Stryker Brigade Combat Team, conducted a site visit to tactical forward operating base Spin Boldak in Kandahar province, located in southern Afghanistan, as well as a site visit to the Afghanistan-Pakistan border crossing.

Finally, during its official business in Tunisia, CODEL Lynch conducted discussions with United States Government and Tunisian Republic Government officials regarding the status of U.S.-Tunisia bilateral relations, regional security efforts, and counter-terrorist cooperation.

In the interest of producing a report which may be of value to both the Administration and Congress, the following attempts to present and emphasize the consensus findings of Mr. Lynch, Mr. Platts, Mr. Inglis, Ms. Sutton, and Mr. Donnelly.

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## **I. Romania**

### *Meeting with Romanian Financial Intelligence Unit Delegation*

During its official business in Bucharest, Romania, CODEL Lynch sought to examine the progress of Romanian efforts to combat terrorist financing and money laundering activities, both independently and in coordination with U.S. and international authorities. Toward this end, the CODEL, accompanied by United States Embassy Officials, met with a Delegation from the Romanian Financial Intelligence Unit (F.I.U.), the National Office for the Prevention and Control of Money Laundering. The Romanian Delegation was led by Ms. Adriana Luminita Popa, who currently serves as President of the Romanian F.I.U.

As noted by Ms. Popa, the National Office for the Prevention and Control of Money Laundering was established in 1999 and is a member of the Egmont Group, a collection of international financial intelligence units designed to facilitate the exchange intelligence and expertise regarding anti-terrorist financing and anti-money laundering efforts. By statute, the Romanian FIU has been established as a politically independent administrative body that is assigned its own budget line and has been granted the authority to receive, request, analyze, and disseminate financial information to appropriate national and international authorities, including the Romanian General Prosecutor's Office, the Romanian Intelligence Service, and the Financial Crimes Enforcement Network (FinCEN), the United States' Financial Intelligence Unit. Such financial information



includes monies suspected of being generated by criminal activity and data that is requested, pursuant to national legislation and/or regulations, in order to combat money laundering or terrorism financing.

Notably, Ms. Popa highlighted a series of recent legislative developments that have succeeded in significantly strengthening Romania's ability to combat terrorist financing and money laundering activities. Additionally, Ms. Popa emphasized the extent of the Romanian F.I.U.'s cooperation with the United States Embassy in Romania, FinCEN, and members of the Egmont Group network of Financial Intelligence Units.

Specifically, Ms. Popa noted that 2006 witnessed the passage of legislative measures by the Romanian Parliament that collectively conferred on Romania's F.I.U. the responsibility to serve as the supervising authority for all national entities that contribute to the reporting of anti-terrorist financing and anti-money laundering activities yet were previously not subject to central oversight. In addition, Ms. Popa noted that in 2008, the Romanian F.I.U. was statutorily designated a chief authority responsible for the enforcement of international sanctions related to anti-terrorist financing and anti-money laundering offenses.

As noted by Ms. Popa, 2006 also evidenced a marked increase in the Romanian F.I.U.'s efforts to enhance its level of cooperation with relevant United States authorities, including FinCEN, the U.S. Department of Treasury, and the U.S. Embassy in Romania. Specifically, in coordination with these American offices, the Romanian F.I.U. participated in a series of national and international programs and seminars designed to raise private sector awareness regarding terrorist financing and money laundering activities as well as strengthen the professional training of its own enforcement and investigative personnel. Moreover, the Romanian F.I.U. also sent its leadership to the 2006 *Regional Reunion of the Financial Intelligence Units*, a conference aimed to enhance F.I.U. information sharing activities and attended by senior-level representatives from the U.S. Department of State and the F.I.U.s of Albania, Austria, Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, Montenegro, the Russian Federation, Serbia, Slovenia, and Hungary.

Furthermore, in May of 2007, the Romanian F.I.U. entered into a historic Memorandum of Understanding with FinCEN that sought to greatly enhance the exchange of information between the two Egmont Group members by setting forth a variety of procedural guidelines regarding the exchange of information completed through the Egmont Group Secure Web database. Ms. Popa stated that the Romanian F.I.U. built upon its efforts to improve Romanian-American cooperation by participating in additional anti-terrorist financing and anti-money laundering international forums, including a September 2008 program organized by Georgetown University entitled, "*National Security, Strategy, and Competitiveness*." In addition, the Romanian F.I.U. sent two representatives to the United States in November of 2008 to participate in an information-exchange and sanction-

enforcement workshop organized by the U.S. Department of Justice Office of Overseas Prosecutorial Development, Assistance, and Training. Most recently, throughout 2009, the Romanian FIU continued its participation in similar efforts to increase international cooperation regarding the exchange of financial information, against the backdrop of the global economic crisis and its potential impact on the international financial system. Notably, the Romanian F.I.U. has also recently been significantly involved in contributing its expertise in the area of anti-terrorist financing and anti-money laundering to negotiations between the U.S. and the European Union on the data-sharing Society for Worldwide Interbank Financial Telecommunications (SWIFT) agreement, through which relevant U.S. authorities may access certain European financial transaction data in furtherance of anti-terrorism investigations. Ms. Popa characterized the SWIFT agreement as a powerful and effective tool in global efforts to combat terrorist financing and money laundering activities.

Ms. Popa also presented the CODEL with statistical data concerning the Romanian F.I.U.'s activities from January to December of 2009. Specifically, the Romanian F.I.U. received nearly 3,000 Suspicious Transaction Reports in 2009 and referred 354 cases to the Romanian General Prosecutor's Offices after deeming that solid grounds existed regarding the commission of a money laundering offense. In addition, the Romanian F.I.U. ordered 5 suspensions of operations suspected of money laundering. Moreover, Ms. Popa noted that as of the date of the CODEL's visit, the Romanian F.I.U. had existing Memorandums of Understanding with the F.I.U.s of 47 nations, including the United States, 17 member nations of the European Union, 2 nations from the European Economic Community, and 28 non-European nations.

In response to Ms. Popa's detailed presentation, the CODEL commended the work of the Romanian F.I.U. and specifically, its dedication to promoting international cooperation in furtherance of global efforts to address terrorist financing and money laundering activities.

### *Country Team Briefing*

The CODEL's visit to Bucharest also included a U.S. Embassy in Romania country team briefing led by Ambassador Mark Gitenstein and Deputy Chief of Mission, Mrs. Jeri Guthrie-Corn.

As noted by Ambassador Gitenstein, Romania has served as one of the U.S.' most reliable and effective allies in Afghanistan through its support of NATO's mission to assist the Afghan people in building a peaceful and democratic nation. Ambassador Gitenstein specifically noted that Romania had recently agreed to contribute an additional 600 troops to its Afghanistan force, thereby increasing its presence in Afghanistan to nearly 1,800

troops. Moreover, Ambassador Gitenstein highlighted the fact that Romania is the only country that has a U.S. military unit under its command in Afghanistan.

Notably, on the morning prior to the CODEL briefing, Ambassador Gitenstein had participated in a posthumous Bronze Star Awards ceremony during which he presented Bronze Stars to the families of two Romanian soldiers killed in action in Afghanistan. Ambassador Gitenstein noted that Major Iuliu Unguras and 2<sup>nd</sup> Lieutenant Claudiu Chira, who were both killed by Improvised Explosive Devices, had been serving in a special Task Force composed of Romanian and U.S. officers, Non-Commissioned Officers, and soldiers.

In reference to Romania's significant contribution to the NATO mission in Afghanistan, Ambassador Gitenstein also emphasized the importance of ensuring that Romanian troops receive much-needed Mine Resistant Ambush Protected (MRAP) vehicles to better ensure troop safety against Improvised Explosive Device attacks. Specifically, Ambassador Gitenstein underscored the efforts of the U.S. Embassy to help with the acquisition of 24 MRAP vehicles to Romanian forces in Afghanistan, while also noting that even half or one-fourth of that amount would prove greatly beneficial to Romanian soldiers deployed in the region. In response to Ambassador Gitenstein's briefing on this matter, the CODEL pledged its assistance to help with authorization for the acquisition of the much-needed MRAP vehicles.

Additionally, the Country Team Briefing also included a discussion of Romanian efforts to combat terrorist financing and money laundering activities. Ambassador Gitenstein noted that internet and credit card fraud have become prevalent financial crimes in Romania, with cyber crime constituting a \$1 billion industry in the country. Accordingly, Ambassador Gitenstein stated that any efforts to combat terrorist financing and money laundering activities in Romania must include a significant focus on addressing internet and credit card crimes.

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## **II. Islamic Republic of Pakistan**

During its official business in Islamabad, CODEL Lynch sought to examine the current political and security climate in Pakistan as well as the status of regional humanitarian relief and development efforts. Accordingly, the CODEL conducted a series of meetings with Government of Pakistan and United States Government officials, including U.S. Ambassador Anne Patterson, Pakistani Prime Minister Syed Yousuf Raza Gilani, Pakistani Chief of Army staff, PML-N leaders Senator Ishaq Dar and Assemblyman Ahsan Iqbal,

and USAID representatives. In addition, in furtherance of its mission to assess the progress of regional anti-terrorist financing and anti-money laundering efforts, the CODEL also participated in a meeting with officials from the Pakistan State Bank.

*Meeting with Ambassador Anne Patterson and Country Team Briefing*

The CODEL was greeted in Islamabad at the airport by Ambassador Anne Patterson. At the Embassy, the CODEL first met with Ambassador Patterson and Deputy Chief of Mission Gerry Feierstein to discuss the current political situation in Pakistan, Pakistan's cooperation with the United States against extremist groups, and U.S. development assistance efforts.

Ambassador Patterson noted that the U.S. had committed significant funds to support Pakistan with both civilian and military development. Specifically, in 2010, the Embassy expected to deliver \$1.1 billion in Coalition Support Funds, \$1.1 billion in Pakistan Counterinsurgency Capability Funds, \$1.5 billion in Kerry-Lugar-Berman civilian assistance, and an additional \$800 million already in the USAID pipeline. In order to manage and oversee these funds, Ambassador Patterson stated that she expected that both USAID and the Department of Defense would significantly increase the number of personnel based in Pakistan. She did note, however, that the Embassy had faced difficulties with Pakistan not granting visas to U.S. government personnel in a timely manner.

In addition, Ambassador Patterson noted several issues of particular concern to the Pakistanis, including: their request for tactical UAVs, new TSA screening requirements for Pakistani passengers traveling to the United States, Afghan refugees located in Pakistan, pending legislation passed by the House but stalled in the Senate to create Reconstruction Opportunity Zones (ROZs) in the Northwest Frontier Province (NWFP) and Federally Administered Tribal Areas (FATA), and increased trade access generally.

The group was then joined by senior Embassy and U.S. military personnel for a full country team briefing. The Embassy's senior political officer discussed the current political situation, including the status of the National Reconciliation Ordinance which had, until a recent Pakistan Supreme Court decision, precluded criminal prosecutions against several hundred Pakistani government officials and politicians.

The embassy's senior economic officer discussed the challenges facing Pakistan's economy, but also improvements in recent months. In addition, the economic officer discussed Pakistan's recently passed anti-money laundering law. According to the economic officer, Pakistan has a financial intelligence unit and the U.S. Treasury Department has an extensive training and assistance program. Although Pakistan has not achieved international standards, according to the economic officer, its recent progress is encouraging.



The country team and CODEL discussed Pakistan's efforts against the Taliban and cooperation with the United States in this regard. The country team discussed the history of Pakistan's Inter-Services Intelligence (ISI) agency's support for the Taliban, but noted that the last year of Taliban attacks on its soil had seemed to fundamentally change the nation's attitude toward extremists. The country team emphasized that it is important to give Pakistan credit for the actions they have taken, specifically in the Swat Valley and South Waziristan. Further, the U.S. is continuing to encourage Pakistan to carry the battle to North Waziristan, and to take more action against the Afghan Taliban.

The country team and CODEL discussed Pakistan's relations with India. Pakistan has historically seen India as its greatest strategic threat, and postured its military accordingly. Indo-Pakistani relations were further strained following the November 2008 terrorist attack on targets in Mumbai, India. Those terrorists had been largely trained in Pakistan by groups that India alleges receive the support of the ISI. According to Ambassador Patterson, there is a real desire in both Pakistan and India to improve relations, but it is difficult for either side to move past their disagreements over responsibility for the Mumbai attack.

#### *Meeting with the Office of the Defense Representative*

The CODEL met with senior representatives of the Office of the Defense Representative (ODRP), the U.S. military's liaison to Pakistan. The ODRP representatives briefed the CODEL regarding the U.S. military's broad efforts to train, equip, and cooperate with Pakistan's military. According to Brigadier General Michael Nagata, the deputy defense representative, the U.S. military outreach effort in Pakistan is highly focused on building and supporting Pakistan's counter-insurgency capability. Brigadier General Nagata noted that Pakistan has made a significant combat effort over the last year and that it is important to acknowledge the sacrifice they have made.

In addition, Brigadier General Nagata and representatives of the ODRP discussed the ground line of communication (GLOC) between the port of Karachi and Afghanistan, the supply route that carries 80% of U.S. and NATO goods and materiel to the Afghan war theater. Brigadier General Nagata noted that there was less than 1% pilferage along this route. A major problem facing the supply route, however, is corruption and disruptions at the two principal border crossing points: Torkum in the North and Chaman in the South.

All of the U.S. and NATO trucking from Karachi through Pakistan to Afghanistan is conducted by private carriers. The CODEL asked what visibility the Department of Defense had into the operations of those carriers and Brigadier General Nagata responded that they had little visibility into their security operations.

### *Meeting of Assistance Coordinators*

The CODEL met with several civilian assistance coordinators from the State Department and USAID, including Candace Putnam, the U.S. Consul General in Peshawar, in order to discuss U.S. development efforts in Pakistan. Representatives of USAID stated that they were using a new operating model that would focus on partnering less with international contractors and more with other institutions. The new model will also include an emphasis on infrastructure projects which can have a higher tangible profile and be easier to monitor.

### *Meeting with Imran Khan*

The CODEL met with Imran Khan, leader of the PTI political party and a former champion cricketer, at his home in Islamabad. Mr. Khan criticized what he described as the United States' lack of support for democracy in Pakistan. In particular, Mr. Khan felt that the U.S. had supported General Musharraf at the expense of Pakistani democracy. In Mr. Khan's view, the U.S. should also avoid investing too much political capital in President Zardari.

Mr. Khan and the CODEL discussed the challenge of confronting the Taliban in FATA. Mr. Khan noted that few Pakistanis had ever been to FATA and they had little conception of the culture and traditions there. In his view, there will not be a military solution in FATA and Pakistan should begin the process of a political dialogue. Mr. Khan argued that the fight against the Taliban in Pakistan should be fought with police and intelligence units.

### *Meeting with Governor of Pakistan State Bank*

The CODEL met with the Governor of the Pakistan State Bank, Syed Raza, and the director of the director of Pakistan's financial intelligence unit, at the State Bank offices in Islamabad. The CODEL was joined by the U.S. Treasury Department's attaché to Pakistan, Mr. Aaron English. Chairman Lynch emphasized the importance of countering money-laundering and terrorist financial flows, and congratulated Pakistan for the recent passage of its improved anti-money laundering legislation.

Mr. Raza emphasized that Pakistan was working diligently to meet international standards for anti-money laundering monitoring capabilities, although Pakistan is not a signator to the major anti-money laundering conventions. Mr. Raza noted that Pakistan and the U.S.

have closely cooperated to improve Pakistan's anti-money laundering capabilities, and that Pakistan was appreciative of U.S. assistance in this regard.

#### *Meeting with Prime Minister Syed Yousuf Raza Gilani*

The CODEL met with Prime Minister Gilani at the Prime Minister's residence in Islamabad. Chairman Lynch thanked Prime Minister Gilani for hosting the CODEL and expressed his condolences for the severe military and civilian casualties that Pakistan had suffered in the past year while fighting terrorists. Prime Minister Gilani stated Pakistan's collective resolve to fight against terrorism and that Pakistan was grateful for U.S. assistance, including the Kerry-Lugar-Berman legislation.

Chairman Lynch noted that the CODEL was sponsored by the Oversight Committee and that he had concerns about the U.S. ability to oversee and account for its military and assistance programs in Pakistan. In particular, Chairman Lynch noted that Pakistan had failed to approve a significant number of U.S. diplomatic visas, including auditors and accountants who would be responsible for monitoring U.S. assistance. He stated that this could slow the distribution of the assistance. Prime Minister Gilani replied that he had created a committee to deal with this issue, led by the Minister of the Interior, and that they would attempt to resolve the issues. He stated, however, that many of the visa applications had been improperly completed.

Prime Minister Gilani stated his concern that there was a significant backlog in reimbursements to the Pakistani military through the Coalition Support Funds program and that he hoped the release of these funds could be expedited. He also encouraged the United States to deliver more of its civilian assistance through direct budget support to the Pakistani ministries rather than through large international contractors.

Prime Minister Gilani stated that he hoped to establish a free trade agreement with the United States and ROZs in FATA and NWFP. Chairman Lynch noted that the House of Representatives had approved the ROZ legislation, but that the Senate had not brought it to the floor. Chairman Lynch further noted that it was a difficult economic time in the United States and that trade legislation often suffered during such times.

Prime Minister Gilani stated his concern regarding increased screening procedures for Pakistani citizens that had been imposed by the U.S. Transportation Security Administration (TSA) following the attempted Christmas Day airliner bombing over Detroit. He noted that this had caused significant public agitation in Pakistan and that the procedures were viewed as an invasion of privacy. Ambassador Patterson stated that Homeland Security Secretary Janet Napolitano would be in Pakistan shortly to discuss the



issue. The CODEL noted the ongoing challenge of balancing safety, privacy, and convenience and that this was also an active debate in the United States.

#### *Meeting with Senior PML-N Leaders*

The CODEL met with Senator Ishaq Dar and Assemblyman Ahsan Iqbal, leaders of the opposition party PML-N. Senator Dar and Assemblyman Iqbal emphasized the need to improve governance in Pakistan and the ongoing failure of President Zardari's administration to address corruption and incompetence in the delivery of basic government services. The leaders also stated their concern that the United States needed to partner with democracy rather than the personalities of the current leaders in charge.

Senator Dar recommended that the U.S. focus more of its civilian assistance on high-profile infrastructure projects, particularly in the energy sector. In his view, the average Pakistani could not identify how U.S. assistance had impacted his or her life, and that it fueled a perception that the money was going to corporations and the elite, rather than to the people.

Senator Dar stated that the PML-N stood strongly behind the government's current efforts against the Taliban in Pakistan but that these operations had raised lots of additional challenges. In particular, much of the infrastructure in FATA had been destroyed and it will be important to quickly transition from military operations to stabilization and rebuilding operations. The group discussed ways in which U.S. assistance could help in this transition.

#### *Meeting with Ashfaq Parvez Kayani, Chief of Staff of the Pakistan Army*

#### **Members-Only Meeting.**

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### **III. Islamic Republic of Afghanistan**

During its official business in Afghanistan, CODEL Lynch sought to examine the current political and security climate, plans for the military surge, the status of the international effort to train and equip the Afghan National Security Forces (ANSF), and concerns regarding the operations of transportation contractors supporting the supply chain. Accordingly, the CODEL conducted a series of meetings with Government of Afghanistan and United States Government officials, including U.S. Ambassador Eikenberry,



Lieutenant General Caldwell, Major General MacDonald, Defense Minister Wardak, and female members of the Afghan Parliament. In addition, in furtherance of its mission to assess the progress of U.S. development assistance efforts, the CODEL also participated in several meetings with U.S. development professionals.

*Meeting with Ambassador Eikenberry, Deputy Ambassador Ricciardone, and Lieutenant General William Caldwell*

The CODEL met with Ambassador Eikenberry, Deputy Ambassador Ricciardone, and Lieutenant General Caldwell in Ambassador Eikenberry's office at the U.S. Embassy in Kabul. Ambassador Eikenberry described the serious security deterioration in Afghanistan over the course of 2009, and stated that it had forced the President to reconsider U.S. resources and strategy. Ambassador Eikenberry praised the extended public dialogue that President Obama had initiated in order for there to be greater strategic clarity for the mission. In his view, the President had identified attainable goals and objectives for the international mission in Afghanistan and given the State Department and military the resources necessary for a reasonable chance to achieve those goals.

Ambassador Eikenberry identified the 2009 presidential elections as a significant political problem but stated that a recent poll showed that Afghans have increasing confidence in their own future. He cited several factors to explain the optimism: an improvement in security since the Summer of 2009, the increased international commitment, President Karzai's inauguration, and a good agricultural year. Ambassador Eikenberry stated that he believed 2010 would be a positive transitional year featuring the improved capabilities of the ANSF, effective counter-insurgency operations, and the improved delivery of services from key Afghan ministries.

Lieutenant General Caldwell, commander of the Combined Security Transition Command-Afghanistan (CSTC-A), discussed his efforts to train the ANSF to improve their capabilities in order to be able to provide for Afghanistan's security needs. He highlighted the Afghan National Military Academy as a success story that was now graduating several hundred lieutenants per year, the future leadership of the ANSF. Lieutenant General Caldwell stated that he still needed additional resources, in particular trainers, to support his effort. He noted, however, that he did not have enough personnel to oversee all of the money and programs that he was responsible for managing and that he had requested significant additional management personnel.

Chairman Lynch and the CODEL thanked Ambassador Eikenberry, Deputy Ambassador Ricciardone, and Lieutenant General Caldwell for their service. Chairman Lynch stated his concern regarding allegations of protection payments by U.S. transportation contractors. Ambassador Eikenberry and Lieutenant General Caldwell agreed that this

was an issue of significant concern, and that the opaqueness of the security contracting meant that the U.S. had little visibility into these trucking operations.

The group discussed the ultimate prospects for success in Afghanistan and Ambassador Eikenberry agreed that success was by no means guaranteed. According to him, many important political groups, such as the tribes, were sitting on the fence and watching to see which way the momentum shifts. In his view, the current strategy is designed specifically to create a critical shift in momentum in favor of the Afghan government and the coalition forces.

#### *Meeting with Country Team*

The CODEL met with a joint country team including representatives from the Embassy, military, USAID, SIGAR, DEA, FBI, and Treasury Department. Each of the representatives briefly discussed the work of their respective agencies in Afghanistan. Chairman Lynch stated his concern regarding allegations of protection payments by U.S. transportation contractors. The group discussed these concerns with representatives of the military, SIGAR, and FBI, which specifically highlighted the efforts of the International Contracting Corruption Task Force.

The group discussed U.S. rule of law efforts in Afghanistan. The Embassy's rule of law team described the steep road ahead in order to combat corruption in the courts and a lack of legal training. According to them, 60-90% of legal disputes in Afghanistan are resolved through traditional justice mechanisms such as *shuras* and *jirgas*. In addition, they stated that the Taliban had effectively exploited the lack of an effective official justice system to create their own courts and legal systems.

The group discussed the provision of health services and U.S. efforts to train practitioners of family medicine. Rep. Platts praised the efforts of the CURE Hospital in Kabul in this regard. Representatives from the Embassy stated their support for these efforts and endorsed the success of the CURE Hospital.

#### *Meeting with Defense Minister Abdul Rahim Wardak*

The CODEL met with Defense Minister Abdul Rahim Wardak along with General Shir Mohammad Karimi, Chief of Operations of the Afghan National Army (ANA), at the Afghan National Military Center in Kabul. The CODEL was joined by Major General David Hogg. Minister Wardak provided the CODEL with a presentation on the progress of the ANA training mission and an assessment of its needs. According to him, the ANA is on track to meet its goals of 134,000 soldiers by October 2010, and 171,600 by October

2011. Minister Wardak stated that he is working with the U.S. to try and develop enduring military institutions, such as the National Military Academy. He stated that his goal was for the ANA to be able to have the honor to defend its own people.

Minister Wardak addressed challenges the ANA is facing, in particular attrition and retention. He stated that although the ANA was making progress on these issues, he was concerned that private security contractors were recruiting soldiers with higher salaries.

Minister Wardak stated that he needed more counter-IED technology, heavier weaponry, armored personnel carriers, and air transport, reconnaissance, and ground support capabilities. The CODEL asked about the ANA's weapons tracking capabilities and Minister Wardak stated that they had significantly improved in this regard. According to him, there are now very few missing weapons.

Following the meeting, General Karimi took the CODEL for a tour of the military command center.

#### *Meeting with Development Roundtable*

In furtherance of its mission to examine the progress of reconstruction efforts in the region, the CODEL participated in a Development Roundtable that included the participation of various U.S. Embassy and U.S. military officials as well as representatives from the Office of the Special Inspector General for Afghanistan Reconstruction and the United States Agency for International Development. Among the roundtable participants were Col. Kevin King (Commander's Emergency Response Program), Ms. Monica Brym (Acting Director, Special Inspector General for Afghanistan Reconstruction), and Mr. William Frej (Mission Director, United States Agency for International Development).

As noted by Col. King, the Commander's Emergency Response Program (CERP) in Afghanistan is designed to enable local commanders in Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the indigenous population. Notably, the distribution of CERP funds in Iraq has been a continuous subject of congressional oversight, given reports, including audit reports issued by the Special General for Iraq Reconstruction, indicating that the misallocation and misuse of CERP funds have been a source of constant concern in Iraq.

Specifically, Col. King noted that based on lessons learned from Iraq Reconstruction, the CERP in Afghanistan has been devised so as to focus on maintaining and promoting regional security, local governance programs, and local development programs in order to contribute to the disruption of enemy networks, assist in the increasing competence,



capacity, and credibility of the Government of Afghanistan, and enable sustainable regional development through economic growth. With these ends in sight, CERP representative areas in Afghanistan currently include water and sanitation, electricity, healthcare, education, transportation, rule of law and governance, battle damage, civil and cultural facility repair, telecommunications, food production and distribution, and other critical matters.

Notably, Col. King emphasized that the allocation of CERP funds in Afghanistan is based upon rigorous project evaluation requirements, including the conditions that approved projects must be deemed immediately beneficial to the local population, sufficiently sustainable and executable, and complementary in that they are not competing with other government or aid organization projects. In addition, projects must not benefit from alternative funding sources and must contemplate the employment of the local population. Moreover, Col. King highlighted several areas in which the use of CERP funds is strictly unauthorized. These include projects that would involve the purchase of weapons or ammunition, entertainment, reward programs, the provision of salaries, bonuses, or pensions to members of the Afghan military or civilian government, and projects that would directly or indirectly benefit the United States, the Coalition, or other supporting personnel. Importantly, any allocation of CERP funds over \$1 million must be approved by the U.S. CENTCOM Commander.

As noted by Col. King, over \$550 million in CERP funds have been allocated in FY2009.

#### *Meeting with Female Members of Afghan Parliament and Civil Society*

In furtherance of its mission to examine the political and security environment in Afghanistan, the CODEL met with various female members of the Afghan parliament and civil society at the residence of U.S. Ambassador Karl Eikenberry. Among the meeting participants were Ms. Rida Azimi (Member of Parliament), Ms. Sabrina Saeed (Member of Parliament), Ms. Fawzia Koofi (Member of Parliament), Ms. Abeda Osman (Director, Department of Human Rights & Women's International Affairs, Ministry of Foreign Affairs), Ms. Angeela Barekzai (Afghan Legal Consultant, Access to Justice Section, Justice Sector Support Program), and Ms. Seema Ghani (Khorosan Charity Orphanage and civil society leader).

Notably, the female members of the Afghan Parliament addressed Afghan President Hamid Karzai's participation at the London Conference on Afghanistan, during which President Karzai proposed to reconcile with the Taliban and include it as a legitimate participant in Afghan society – as an inducement to cease its armed insurgency. Specifically, the female members expressed their frustration regarding President Karzai's decision to move forth with his Taliban appeasement plan without first receiving the input



of women in Parliament. In addition, the female members noted their collective fear for the women of Afghanistan, as well as their concern regarding the impact of such a plan on their fundamental rights of free speech, freedom to travel, freedom of association, and freedom to vote. Moreover, the meeting participants expressed their genuine respect for the United States in regards not only to its economic success but rather also our nation's ability to uphold the individual rights of all its citizens – a distinguishing trait that one member of Parliament deemed the “intoxicating idea of America.”

In response to concerns expressed by the female members of the Afghan Parliament as well as the civil society leaders, the CODEL expressed a continued commitment to ensuring the preservation of individual freedoms in Afghan society. In addition, the CODEL noted that in light of the violent and oppressive nature of the Taliban regime and in particular, its brutal treatment against ethnic minority civilians and women, the United States should continue to resist any tactic that would restore the Taliban to a position of legitimacy and power in Afghanistan simply as a concession to facilitate our military departure.

#### *Briefing by Major General John MacDonald and USFOR-A Officers*

The CODEL met with Major General MacDonald and USFOR-A senior contracting and logistics leadership at Camp Eggers, Kabul to discuss contracting and logistics matters. Major General MacDonald briefed the CODEL on the complexities of managing the logistics of supporting the USFOR-A presence in Afghanistan, and supporting the influx of troops for the ongoing surge. In addition, Major General MacDonald discussed the particular chokepoints for the transportation and logistics challenge, including trucking from Pakistan and distribution to remote operating outposts.

Major General MacDonald and the CODEL discussed the issues surrounding the use of armed contractors. According to Major General MacDonald, the U.S. supply chain in Afghanistan is largely dependent on protection from private security companies (PSCs). Unlike in Iraq, the PSCs in Afghanistan are comprised mainly of Afghans. According to Major General MacDonald, the Department of Defense had recognized the need for greater oversight of armed contractors in Afghanistan and had responded by creating the Armed Contractor Oversight Directorate (ACOD). ACOD is responsible for approving arming authorities for PSCs that support the U.S. mission.

The CODEL thanked the assembled group for their services and the extraordinary work that they were doing to support the U.S. mission. Chairman Lynch expressed that he had concerns regarding allegations of protection payments by U.S. transportation contractors. Major General MacDonald responded that he recognized the issue as a legitimate concern but that the Department of Defense had very little visibility into the operations of these

PSCs. He emphasized that the Department of Defense was absolutely dependent on contracted trucking for its mission in Afghanistan and that the goods and materiel were getting delivered to their destinations at the end of the day. Major General MacDonald stated that, in his view, the long-term solution would be to have the ANSF take over security for the transportation network.

#### *Meeting with Military and Civilian Leaders of Regional Command – South (RC-S)*

The CODEL met with Major General Nick Carter (UK), the commander of Regional Command-South, Brigadier General Ben Hodges, the Director of Operations for RC-S, and Frank Ruggiero, the senior civilian representative for RC-S, at Kandahar Air Field. Major General Carter described the current security environment in RC-S as very hostile and then discussed current and planned International Security Assistance Force (ISAF) operations to rollback the Taliban threat. Principally, he emphasized the coalition's new focus on protecting population centers.

According to Mr. Ruggiero, future military operations would include a greater focus on quickly stabilizing an area with local Afghan police and governance structures that could begin to deliver basic services within days or weeks.

Chairman Lynch discussed his concerns regarding security for the ISAF supply transportation network and allegations that contractors were making protection payments to local warlords and the Taliban. Major General Carter acknowledged that insecurity and extortion on the roads was a major problem and a major hindrance to regular commerce.

The CODEL thanked the assembled soldiers, sailors, and marines for their service.

#### *Visit to Forward Operating Base Spin Boldak*

Accompanied by Brigadier General Hodges, the CODEL visited FOB Spin Boldak in the town of Spin Boldak along the Pakistan border. Upon arrival at FOB Spin Boldak, the CODEL loaded on to Strykers from a Stryker Brigade Combat Team. The Strykers drove the CODEL to the headquarters of the chief of the local border patrol, Colonel Razziq. According to Brigadier General Hodges, Colonel Razziq is the chief of the Achekzai tribe and effectively controls Spin Boldak and the border. Colonel Razziq allegedly earns several million dollars annually by taxing smuggling and other illicit activities. Just prior to the CODELs visit, General Stanley McChrystal had personally come to Spin Boldak to press Colonel Razziq to open the border to more ISAF trucking.

Upon arriving at the border patrol headquarters, the CODEL was greeted by Colonel Razziq's representatives who briefly described their police operations. The CODEL then took a walking tour of the border area as Brigadier General Hodges and Lieutenant Colonel Clark explained how the chaotic border crossing functioned.

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#### **IV. Tunisian Republic**

During its official business in Tunis, Tunisia, the CODEL sought to examine the state of U.S.-Tunisia bilateral relations as well as the progress of regional security efforts. To this end, the CODEL received a U.S. Embassy Country Team Briefing led by Ambassador Gordon Gray and conducted a meeting with Mme. Saidi Chtioui, Secretary of State for America and Asian Affairs, at the Tunisian Ministry of Foreign Affairs.

In addition, the CODEL also visited the North Africa American Cemetery and Memorial, located in Carthage, Tunisia, in order to pay its respects to the 2,841 American military veterans who buried on the grounds as well as the 3,724 missing American soldiers who are also honored at the cemetery. Many of those who rest in the cemetery participated in military activities ranging from North Africa to the Persian Gulf.

##### *Country Team Briefing*

The CODEL's visit to Tunis included a U.S. Embassy Country Team Briefing led by Ambassador Gordon Gray and Economic Officer Peter J. Davis.

As noted by Ambassador Gray, the Tunisian Republic is a stable and moderate nation that has enjoyed a longstanding and generally positive relationship with the U.S. Notably, the U.S. became the first Western power to recognize Tunisia's independence in 1956 and throughout its relationship with Tunisia, has provided over \$6 billion in assistance, most of which consists of military aid and, beginning in Fiscal Year 2008, Economic Support Funds. As further indications of the Tunisian Republic's strong bilateral relations with the U.S., Ambassador Gray highlighted a series of recent high-profile visits to Tunisia by U.S. officials, including Special Envoy George Mitchell in April of 2009 and then-Secretary of State Condoleezza Rice in September of 2008.



Additionally, Ambassador Gray highlighted the Tunisian Republic's admirable record of economic and social progress. Specifically, in spite of Tunisia's relatively modest economy and the country's lack of natural resources, the Tunisian government delivers a high quality of education, health care, housing, infrastructure, and security to its population. Notably, Ambassador Gray characterized Tunisia as a regional model in terms of women's rights issues, with women playing a significant and increasing role in the both the country's public and private sectors.

Moreover, Tunisia has witnessed remarkable economic progress following its independence, as it possesses one of the most diversified economies in the region and enjoys one of the highest standards of living on the continent. While unlike its neighbors, the country does not possess large reserves of hydrocarbons, Tunisia has prospered via longstanding government policies to diversify the Tunisian economy through the development of manufacturing industries for export. Ambassador Gray noted that the U.S. is currently Tunisia's eighth largest import supplier. Furthermore, the Tunisian economy has grown in light of government efforts to attract direct foreign investment as well as strengthen the country's agricultural sector.

With regards to regional security, Ambassador Gray noted that Tunisian President Zine El-Abidine Ben Ali has experienced success in avoiding the instability and violence that have plagued Tunisia's neighbors. Notably, the Tunisian government remains concerned regarding the threat of terrorism, particularly in light of the establishment of al-Qaeda in the Islamic Maghreb (AQIM), and accordingly, national security is a chief priority. Ambassador Gray remarked that the Tunisian Government places a high value on its strong military-to-military relationship with the U.S., which provided \$12 million in Foreign Military Financing funds and \$1.7 million in International Military Education and Training funds to Tunisia in FY2009.

However, while Ambassador Gray underscored Tunisia's progress and stability, he did note that Tunisia possesses a rather moderate track record with regards to departing from Arab League consensus on international and regional issues. As a result, Ambassador Gray remarked that the Government of Tunisia should be encouraged to play a more active role in promoting regional peace and security.

In addition, Ambassador Gray noted that political liberties in Tunisia remain significantly-controlled and that civil society development can be characterized as restricted. Specifically, Ambassador Gray remarked that Tunisia's progress on political reform has not mirrored its progress in other areas, as civil society and human rights organizations have reported frequent instances of government harassment, intimidation, and restrictions on their activities. Ambassador Gray also commented that recent months have witnessed a marked increase in government harassment and prosecutions of independent journalists and internet bloggers.



### *Meeting with Mme. Saida Chtioui*

In furtherance of its mission to examine the status of U.S.-Tunisia bilateral relations and the progress of regional security efforts, the CODEL also conducted a meeting with Mme. Saida Chtioui, Secretary of State for American and Asian Affairs, at the Tunisian Ministry of Foreign Affairs.

At the outset, the CODEL expressed its sincerest condolences regarding the recent death of Hédi Annabi, a Tunisian diplomat and Head of the United Nations Stabilization Mission in Haiti. Mr. Annabi died as a result of the January 2010 Haiti earthquake, which destroyed the United Nations Headquarters building in Port-au-Prince.

Mme. Chtioui began by noting that the U.S. and Tunisia have enjoyed a continuous and cooperative relationship since 1797 and emphasizing Tunisia's partnership in the global war on terror. Additionally, Mme. Chtioui detailed the Tunisian Republic's economic and social advancements. In particular, Mme. Chtioui expressed great pride with respect to Tunisia's progress in the area of women's rights and highlighted the prominence of women in academic institutions and the public and private sectors. Notably, Mme. Chtioui also addressed criticism of Tunisia's record on human rights by emphasizing that the Government of Tunisia does not restrict press freedoms or internet access unless it deems a restriction as necessary to safeguard the national interest. Ms. Chtioui pointed to Tunisia's role as host of the November 2005 United Nations World Summit on the Information Society as evidence of its improved human rights record.

In response to Mme. Chtioui's presentation, the CODEL underscored the importance of a free press and internet accessibility to a democratic society. In addition, the CODEL respectfully noted its concern regarding human rights group reports indicating government harassment of independent journalists as well as the Tunisian Republic's aggressive restrictions on internet service. However, the CODEL also commended Mms. Chtioui with respect to Tunisia's progress in the area of women's rights and characterized the Tunisian Republic as a model in the region for affording significant educational and professional opportunities to its women citizens. Finally, the CODEL expressed its hope for the continuation of strong bilateral relations between the U.S. and Tunisia.

### *Site Visit to North Africa American Cemetery and Memorial*

The CODEL's visit to Tunis also included a site visit to the North Africa American Cemetery and Memorial in Carthage, Tunisia. In addition to paying respects to the 2,841

American military veterans that are buried at the North Africa American Cemetery and the 3,724 missing military veterans who are honored on the grounds, the CODEL also participated in a wreath laying ceremony to pay tribute to all of the brave service men and women that have offered their nation the ultimate sacrifice.

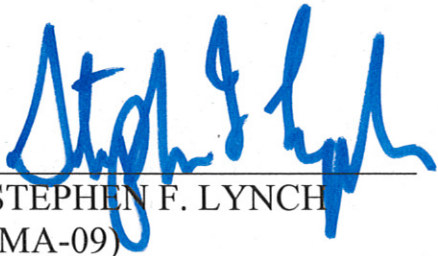
Covering 27 acres of land, the North Africa American Cemetery and Memorial was established in 1948 after a World War II survey jointly conducted by representatives of the Secretary of War and the American Battle Monuments Commission revealed that all temporary cemeteries in North Africa presented major disadvantages. The Cemetery is the resting place for 2,841 distinguished American military veterans. In addition, the Cemetery grounds include a "*Wall of the Missing*," an engraved memorial that contains the names of 3,724 missing American veterans, including 3,095 United States Army and Army Air Force veterans, 615 United States Navy veterans, and 14 United States Coast Guard veterans. As noted by Cemetery staff, a majority of those buried on the grounds and recognized on the "*Wall of the Missing*" gave their lives in the landings in, and occupation of, Morocco and Algeria, as well as in subsequent fighting that culminated in the liberation of Tunisia. In addition, other soldiers served in the Persian Gulf Command in Iran.

## **V. Conclusion**

The CODEL genuinely appreciated the opportunity to represent the United States as it conducted its official business in Romania, Pakistan, Afghanistan, and Tunisia.

In particular, the CODEL would like to emphasize the great value of congressional delegations to the fulfillment of our congressional oversight duties. The opportunity to conduct direct oversight of areas, such as Pakistan and Afghanistan, that have not been subject to significant firsthand examination serves an invaluable role as Congress considers and develops corresponding policy responses.

Accordingly, the CODEL would like to thank the President of the United States, the Democratic and Republican Leadership in Congress, and the employees of the Department of State, the Department of Defense, and the Department of Treasury, including the Financial Crimes Enforcement Network, for their support of CODEL Lynch, as well as their courageous and important work on behalf of our nation.



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STEPHEN F. LYNCH  
(MA-09)



---

BOB INGLIS  
(SC-04)



---

BETTY SUTTON  
(OH-13)



---

TODD PLATTS  
(PA-19)



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JOE DONNELLY  
(IN-02)



## ATTACHMENT "A"

EDOLPHUS TOWNS, NEW YORK,  
CHAIRMAN

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STEVE DRIEHAUS, OHIO  
JUDY CHU, CALIFORNIA

ONE HUNDRED ELEVENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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WASHINGTON, DC 20515-6143

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FACSIMILE (202) 225-4784  
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January 6, 2010

DARRELL E. ISSA, CALIFORNIA,  
RANKING MINORITY MEMBER

DAN BURTON, INDIANA  
JOHN L. MICA, FLORIDA  
MARK E. SOUDER, INDIANA  
JOHN J. DUNCAN, JR., TENNESSEE  
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JASON CHAFFETZ, UTAH  
AARON SCHOCK, ILLINOIS  
BLAINE LUETKEMEYER, MISSOURI  
ANH "JOSEPH" CAO, LOUISIANA

The Honorable Hillary Rodham Clinton  
Secretary of State  
Department of State  
Washington, DC 20520

Dear Madam Secretary:

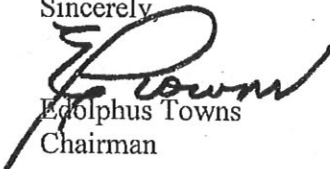
This letter is to authorize Representative Stephen F. Lynch, a member of the Committee on Oversight and Government Reform, to travel on official business to Romania, Afghanistan, Israel and Pakistan from the period of January 27, 2010 through February 2, 2010. Mr. Bruce Fernandez (Majority Committee Permanent Staff) and Mr. Scott Lindsay (Majority Committee Counsel), of the Subcommittee on National Security and Foreign Affairs of the House Committee on Oversight and Government Reform and also Adam Fromm (Republican Professional Staff Member) are authorized to participate in this CODEL.

During its official business, the CODEL will examine the political and security environment in Afghanistan and Pakistan, assess the progress of reconstruction efforts in the region, and express personal gratitude to the brave men and women deployed in support of Operation Enduring Freedom and the NATO led International Security Assistance Force. In addition, the CODEL will review U.S. Treasury Department FinCEN anti-terrorist financing programs in Romania as well as meet with appropriate Israeli government officials regarding bilateral relations, regional security, and counter-terrorist cooperation.

It is requested that funds for per diem, transportation, and other authorized costs associated with this travel be made in accordance with Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384, Section 22(a). Actual lodging expenses are authorized for the CODEL if necessary. This authorization should also cover commercial and/or military transportation where appropriate, with airfare for international portions of this trip up to business class. Authorization to fly on non-US carrier aircraft, as necessary, is also requested.

If you have any questions, please contact Scott Lindsay at (202) 225-2548 or Robin Butler at (202) 226-1003. Thank you for your prompt attention to this matter.

Sincerely,

  
Edolphus Towns  
Chairman

EDOLPHUS TOWNS, NEW YORK,  
CHAIRMAN

PAUL E. KANJORSKI, PENNSYLVANIA  
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AARON SCHOCK, ILLINOIS  
BLAINE LUETKEMEYER, MISSOURI  
ANH "JOSEPH" CAO, LOUISIANA

January 6, 2010

The Honorable Robert Gates  
Secretary of Defense  
Department of Defense  
Washington, DC 20301

Dear Mr. Secretary:

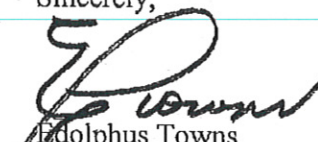
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The expenditure of funds for payment of actual and necessary expenses and such transportation as may be required is authorized pursuant to Title 31, U.S.C. § 1108(g). Travel will be conducted by military and/or commercial aircraft up to business class, including foreign flag carriers when U.S. carriers are not available.

If you have any questions, please contact Scott Lindsay at (202) 225-2548 or Robin Butler at (202) 226-1003. Thank you for your prompt attention to this matter.

Sincerely,



Edolphus Towns  
Chairman